

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Linda Kaye Armstrong,

Civil No. 10-3740 (DWF/LIB)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Social Security Administration,

Defendant.

Linda Kaye Armstrong, *Pro Se*, Plaintiff.

Lonnie F. Bryan, Assistant United States Attorney, United States Attorney's Office,
counsel for Defendant.

The above-entitled matter came before the Court upon the Report and Recommendation of Magistrate Judge Leo I. Brisbois. Defendant Social Security Administration filed a response to the Report and Recommendation on April 12, 2011 (Doc. No. [16]). No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the files, records, and proceedings herein,

IT IS HEREBY ORDERED that:

1. Defendant's Motion to Dismiss (Doc. No. [8]) is **GRANTED**.

2. That this action be **DISMISSED WITHOUT PREJUDICE** for lack of subject matter jurisdiction.

Dated: May 4, 2011

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge